

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CAT 2002, INC.,

Plaintiff,

-against-

MEMORANDUM AND ORDER
CV-04-1858(JS)(ETB)

JERUSALEM REPORT PUBLICATIONS, LTD.,
NETTY C. GROSS, DAVID HOROVITZ,
PALESTINE POST, LTD., and
JOHN DOES 1-10

Defendants.

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APPEARANCES:

For Plaintiff: Eric W. Naiburg, Esq.
320 Carleton Avenue, Suite 2500
Central Islip, New York 11722

For Defendants: Robert S. Goodman, Esq.
Handler & Goodman LLP
805 Third Avenue, 8th Floor
New York, New York 10022

SEYBERT, District Judge:

On September 22, 2005, this Court issued an Order granting Defendants' motion to dismiss the Complaint due to improper service. The Complaint was dismissed without prejudice and Plaintiff was granted sixty (60) days to effect proper service and file proof of service with this Court. Plaintiff was warned that failure to timely effect service would result in dismissal with prejudice.

While Plaintiff has filed a request for an extension of time to effect service in a related action, CAT 2002 v. Sharon Evans, et al., 04-CV-1715, Plaintiff filed no such request in this

action. The time for effecting proper service has expired.
Therefore, the Court hereby DISMISSES the Complaint WITH PREJUDICE.

SO ORDERED

/s/ JOANNA SEYBERT
JOANNA SEYBERT
United States District Judge

Dated: Central Islip, New York
February 13, 2006